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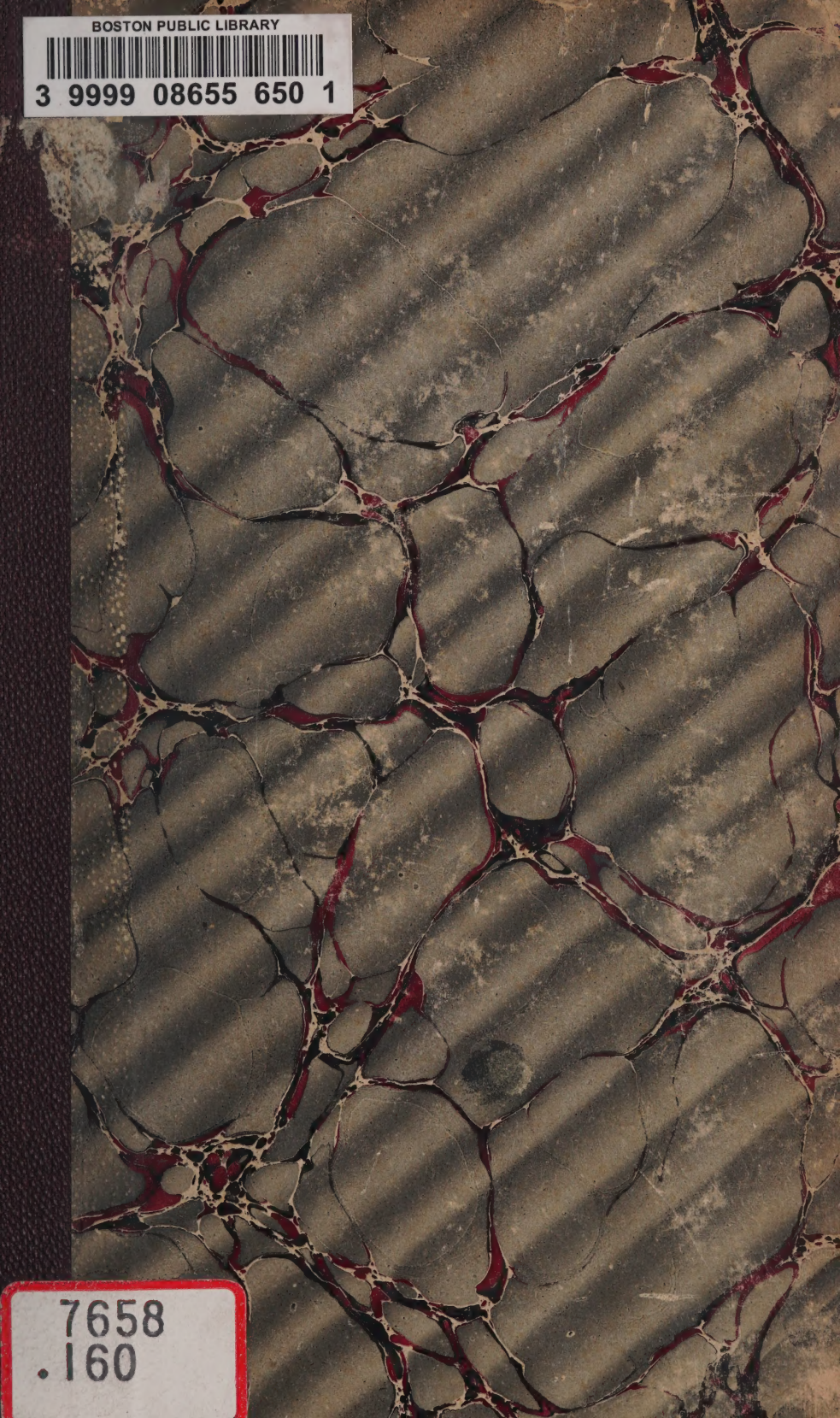

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Harvard Business Branch

No. 7658.160

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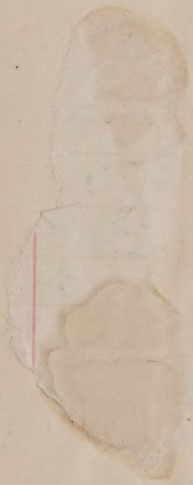

HISTORY

OF THE

GRANITE RAILWAY COMPANY,

INCLUDING

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GRANITE QUARRIES AT QUINCY, MASS., AND CONCORD, N. H.,

WITH THE

CHARTER AND BY-LAWS OF THE COMPANY,

AND

A LIST OF ITS OFFICERS.

CAPITAL STOCK, $250,000; IN 2,500 SHARES, AT $100 PER SHARE.

BOSTON:
ALFRED MUDGE & SON, PRINTERS, 34 SCHOOL STREET.
1870.

Mrs. L. C. Kimball.
June 26, 1897.

THE

GRANITE RAILWAY COMPANY.

INCORPORATED MARCH 4, 1826.

OFFICERS:

President,

JOHN S. TYLER.

Vice-President,

JOHN C. PRATT.

Directors,

BENJAMIN BRADLEY,
JOHN FELT OSGOOD,
WILLIAM B. SEWALL,
JOHN D. PARKER,
GEORGE LEWIS.

Treasurer and Clerk,

GEORGE LEWIS.

Agent,

OLIVER E. SHELDON.

Office of the Company, 31 Pemberton Square, Boston.

CHARTER

OF THE

GRANITE RAILWAY COMPANY,

AND LEGISLATIVE ACTS IN ADDITION TO THE SAME.

AN ACT TO INCORPORATE THE GRANITE RAILWAY COMPANY.

SECTION 1. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Thomas H. Perkins, William Sullivan, Amos Lawrence, David Moody, Solomon Willard and Gridley Bryant, together with their associates, and such as may hereafter associate with them, and their successors, be, and they are hereby, declared to be a corporation by the name of the Granite Railway Company, for and during the term of forty years from the passing of this act, and by that name may sue and be sued, plead and be impleaded, and may have a common seal, and may make and establish rules, orders and by-laws not repugnant to the laws of this Commonwealth, and may annex penalties for the breach of such rules, orders and by-laws: *provided,* the same shall not exceed ten dollars, and may choose all officers, and appoint all agents necessary and proper to carry into effect the powers and privileges hereby enacted.

SECT. 2. *Be it further enacted,* That the said corporation be, and they hereby are, authorized and empowered to purchase, have and hold land, extending from the furnace lot, so-called, in

the town of Quincy, and from the ledges of granite rock, situated in or near said lot, and extending thence to the tide-water at any point within said town of Quincy, or within the town of Milton: *provided*, that if any part of said railway shall be erected or laid within the town of Milton, the assent of the said town of Milton shall be first obtained: *provided*, the land so purchased, had, and held, be situate northwesterly of Quincy common, so-called, and of Mount Wollaston: and *provided, also*, that said land be not of greater extent in width than six rods; and that said corporation may lay, build and construct within the same land any railways for the transportation of granite stone; and may maintain, repair and use such railways for and during the term of forty years aforesaid; but the said corporation shall erect, and during said term keep up and maintain, good and sufficient gates where said railways may pass through fences existing at the time of making said railways.

SECT. 3. *Be it further enacted*, That the said corporation may purchase, have, hold, and use land, marsh and flats, from high water mark to low water mark, and as much below the latter as may be necessary, of the width of sixteen rods, and connected with the land, of six rods in width as aforesaid, and that said corporation may continue their railways in and upon the said land, marsh and flats, and may therein dig and construct any canals, and erect any buildings or other structures, necessary and convenient for the transportation and carrying stone, and for exercising the powers and privileges hereby given.

SECT. 4. *Be it further enacted*, That the said corporation are hereby authorized and empowered to take the said land of six rods in width, and the said land, marsh and flats, of sixteen rods in width, for the purposes and uses by this act intended; and if the said corporation and the person or persons who may be proprietor or proprietors of the land so taken, do not agree on a compensation for such land, marsh and flats, nor on commissioners or agents for appraising the same; and if the said

corporation, and any person or persons who shall sustain any damage by the execution of the powers hereby given, do not agree in estimating the amount of such damage, nor on commissioners to estimate the same, such person or persons may apply to the Court of Common Pleas, in the County of Norfolk, for a committee to be appointed to appraise the land, marsh or flats taken, or to estimate the damage aforesaid, as the case may be, and the said Court shall thereupon give reasonable notice to said corporation to appear, and show cause why such committee should not be appointed; and if no cause be shown, said Court shall appoint a committee of three or five disinterested freeholders, being inhabitants of this Commonwealth, and such committee shall be sworn, and shall notify both parties of the time and place of executing their commission; and such committee shall thereupon execute the same, and shall appraise the land, marsh or flats, or estimate the damage, if any, or both, as the case may be, and shall make return of their doings into the same Court as soon as may be, and upon the acceptance of the report by said committee made, the Court shall render judgment thereon with reasonable costs to the party prevailing: *provided, however,* that either party, after the return of the said report, may claim a trial by jury; and the Court shall thereupon stay judgment on said report, and a trial by jury shall be had at the bar of said Court; and if the party applying for a jury shall not obtain, in case it be the original applicant, an increase of the amount of appraisement, or of the estimate of damages, as the case may be; or in case it be the original respondent, a decrease of the amount of appraisement, or of the estimate of damages, as may have been awarded by the committee, such party shall pay reasonable costs of the trial by jury; otherwise shall recover reasonable costs, and upon any judgment rendered on report of committee, or verdict of jury, the Court may issue execution; and from any judgment so rendered, neithe party shall be allowed to appeal.

SECT. 5. *Be it further enacted*, That the said corporation shall have a right for and during the term of ten years from the passing of this act, to demand and collect a reasonable toll for the conveyance of stone and other property in their cars and vehicles on said railways, not exceeding twelve per centum per annum on the cost of building said railways, and keeping the same in repair; after which term the said toll may be altered to such reasonable sum as the Legislature may by law deem fit to establish; and any person or persons shall be entitled to have stone carried on the said cars and vehicles at pleasure on payment of toll as aforesaid.

SECT. 6. *Be it further enacted*, That if the said railways hereby authorized to be constructed, shall, in the course thereof, cross any private way, the said corporation shall so construct said railways as not to obstruct the safe and convenient use of such private way; and if said railways be not so constructed, the party aggrieved shall be entitled to his action on the case in any court proper to try the same, and shall recover his reasonable damages for such injury. And if the said railways shall in the course thereof, cross any turnpike or other highway, the said railways shall be so constructed as not to impede or obstruct the safe and convenient use of such turnpike or highway; and the said corporation shall have power to raise such turnpike or highway, so that said railways may conveniently pass under the same; and if said corporation shall raise any such turnpike or highway, pursuant hereto, and shall not so raise the same as to be satisfactory to the proprietors of such turnpike, or to the selectmen of the town in which such highway may be situated, as the case may be, said proprietors or selectmen may require of said corporation such alteration or amendment as they may think necessary; and if the required alteration or amendment be reasonable and proper, and the said corporation shall unnecessarily and unreasonably neglect to make the same, such proprietors, or selectmen, as this case may be, may proceed to

make such alteration or amendment, and may institute and prosecute to final judgment and execution, in any court proper to try the same, any action of the case against the said corporation and shall therein recover a reasonable indemnity in damages, for all charges, disbursements, labor and services, occasioned by making such alteration or amendment, with costs of suit.

SECT. 7. *Be it further enacted*, That the said Granite Railway Company may purchase, have and hold, use and enjoy, real and personal estate, to the amount of one hundred thousand dollars, in the whole; and that the corporate property shall be personal estate, and may be divided into shares not exceeding two hundred, and that the evidence of ownership in said corporate property shall be in such form of certificate under the corporate seal, and signed by such officer or officers as the said corporation may agree on.

SECT. 8. *Be it further enacted*, That Thomas H. Perkins, or either of the other persons hereinbefore named, may call the first meeting of the corporation by this act created, by advertisement in one or more newspapers printed in Boston, and at that meeting, or any adjourned meeting, the said corporation may be organized, and may proceed to exercise the powers by this act given.

SECT. 9. *Be it further enacted*, That if the said corporation shall not have constructed and put into use at least one of the railways by this act authorized, within three years from the passing of this act, then and in such case this act shall be void.

SECT. 10. *Be it further enacted*, That the Legislature may authorize, at any future time, the establishment of any other railways within the towns of Quincy or Milton, not incompatible with the existence and convenient use of the railways by this act authorized, the powers, rights and privileges by this act granted notwithstanding.

SECT. 11. *Be it further enacted*, That the stockholders in

said Granite Railway Company shall at all times be liable, in their persons and estates, for all debts which shall be contracted by said corporation in like manner, and the legal remedies for the recovery of debts shall be the same as is provided for in and by the act entitled "An act defining the general powers and duties of manufacturing corporations," passed on the third day of March, in the year of our Lord one thousand eight hundred and nine, and the several acts in addition thereto.

In House of Representatives, March 4, 1826.

This bill having had three several readings,
Passed to be enacted.

TIMOTHY FULLER,
Speaker.

In Senate, March 4, 1826.

This bill having had two several readings,
Passed to be enacted.

NATH. SILSBEE,
President.

March 4, 1826.

Approved.

LEVI LINCOLN.

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT TO INCORPORATE THE GRANITE RAILWAY COMPANY."

SECTION 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the limitation expressed in the act to which this act is in addition, whereby the duration of said corporation is restricted to forty years be, and the same is hereby, repealed:

provided, always, that the Legislature shall have power, at all times hereafter, to alter, amend, or repeal this act, and the act to which this act is in addition, at their pleasure.

SECT. 2. *Be it further enacted,* That if the annual meeting of said corporation shall happen to have been omitted, that the officers who shall have been duly chosen, and who shall be in office at the time when the annual meeting should have taken place, shall continue in office until the time fixed in the by-laws of the said corporation, for the then next annual meeting, or until a meeting shall have been had of the members of said corporation, for the choice of officers, which meeting, the said members are hereby empowered to hold, on due notice from the clerk, or other proper officer of said corporation, in such manner as the said members may have provided for.

In House of Representatives, June 20, 1831.

Passed to be enacted.

W. B. CALHOUN,

Speaker.

In Senate, June 20, 1831.

Passed to be enacted.

LEVERETT SALTONSTALL,

President.

June 20, 1831.

Approved.

LEVI LINCOLN.

AN ACT TO INCREASE THE CAPITAL STOCK OF THE GRANITE RAILWAY COMPANY.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

The Granite Railway Company are hereby authorized to increase their capital stock by the addition of one hundred and fifty thousand dollars, and to divide their whole capital stock into any number of shares, not exceeding twenty-five hundred.

House of Representatives, April 5, 1836.

Passed to be enacted.

JULIUS ROCKWELL,

Speaker.

In Senate, April 6, 1836.

Passed to be enacted.

HORACE MANN,

President.

Council Chamber, 8th April, 1836.

Approved.

EDWARD EVERETT.

AN ACT AUTHORIZING THE GRANITE RAILWAY COMPANY TO EXTEND THEIR RAILROAD, AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The Granite Railway Company are hereby authorized, with all the powers and privileges, and subject to

all the duties, restrictions and liabilities set forth in the laws of the Commonwealth now in force, or which may be set forth in any laws hereafter enacted, relating to railroad companies, to extend their railroad from its present termination near Neponset river, in the direction following, viz: — Crossing the Granite bridge road at a convenient angle and continuing thence to a convenient point on the southerly bank of said river, below or easterly of the Creek, owned by the heirs of John Rowe and others, and not more than five hundred feet below the Granite bridge, then straight across said river to the northerly bank thereof, by a bridge in which there shall be a draw of the same width, and in all respects as convenient as that of said Granite bridge, and thence in such convenient direction as to form a function with a branch railroad, now authorized to be constructed from Milton Village to the Old Colony Railroad, to be called the Dorchester and Milton Branch Railroad; and if said branch railroad shall not be built within three years from the passing of this act, then said Granite Railway Company are hereby authorized to continue their said road, in the most convenient direction, to said Old Colony Railroad, and to enter the same and form a junction therewith. And, with respect to said draw, said railway company shall be subject to the same duties and liabilities as are contained in the fourth section of the act to establish the Old Colony Railroad Corporation.

Sect. 2. Said Granite Railway Company are hereby authorized to construct branches, not exceeding one mile and a quarter each in length, from any part of their railroad, within half a mile of their own granite quarry, to any of the other neighboring quarries; and for the convenient shipping of stone, to construct a wharf and depot on said river, below said Old Colony Railroad, and a branch from the said railroad to said wharf and depot; and said Granite Railway Company are authorized to take such land as may be necessary for such wharf and depot, not exceeding three acres in extent, and such strips of land not

exceeding five rods in width, as may be needful for the extensions and branches authorized hereby, making payment for all land so taken in the same manner as is provided by law concerning land taken for the construction of railroads.

SECT. 3. Said Granite Railway Company are hereby authorized to transport passengers and merchandise as well as stone, over their said railroad and the several branches thereof, and to own and use locomotive engines and cars suitable therefor; and for the purposes mentioned in this act, may increase their capital stock by an amount not exceeding fifty thousand dollars.

SECT. 4. Said Granite Railway Company are further authorized to sell their said road as it now is, with the rights and privileges created by this act, or as it may be when extended as aforesaid, in whole or in part, and with the several branches aforesaid, or any of them, to the Old Colony Railroad Corporation. And said corporation is hereby authorized to purchase the same.

In House of Representatives, April 15, 1846.

Passed to be enacted.

SAMUEL H. WALLEY, JR.,
Speaker.

In Senate, April 16, 1846.

Passed to be enacted.

W. B. CALHOUN,
President.

April 16, 1846.

Approved.

GEO. N. BRIGGS.

AN ACT IN ADDITION TO AN ACT TO INCORPORATE THE GRANITE RAILWAY COMPANY.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The eleventh section of an act passed on the fourth day of March in the year eighteen hundred and twenty-six, entitled "an act to incorporate the Granite Railway Company," whereby the stockholders in said company are made liable, in their persons and estates, for all debts contracted by said corporation, is hereby repealed; *provided, however,* that this act shall not affect contracts made before this act takes effect.

SECT. 2. This act shall take effect from and after its passage.

In House of Representatives, April 8, 1854.

Passed to be enacted.

OTIS T. LORD,
Speaker.

In Senate, April 11, 1854.

Passed to be enacted.

CHARLES EDW. COOK,
President.

April 12, 1854.

Approved.

EMORY WASHBURN.

HISTORY

OF THE

GRANITE RAILWAY COMPANY.

THE Granite Railway Company does not now represent, as might naturally be inferred from its name, a corporation having its interests centred in a railway; but its property consists of two granite quarries and appurtenances, one of which is situated in Quincy, Massachusetts, and the other in Concord, New Hampshire, — the former having a railway connected with and belonging to it of about two miles in length, the said railway being subordinate to the quarry.

In 1826, Thomas H. Perkins, William Sullivan, Amos Lawrence, David Moody, Solomon Willard, and Gridley Bryant, with others, obtained an Act of Incorporation from the Legislature of Massachusetts, empowering them to build a railway from the granite ledges of Quincy to tide-water, for the purpose of more easily transferring the stone from the quarries to vessels, which would then transport it by water to any port; the Act of Incorporation being in the name of the Granite Railway Company, said Company having apparently intended to derive their profits from the tolls to be received for carriage of stone from the quarries; but by the subsequent adoption of the quarries themselves, which have proved of greater interest, the railway has become absorbed, as it were, in the quarry; and although now of no note as a railway, yet it still gives its corporate name to what is so widely and long known as the great Quincy Granite Quarry, and to which has also

been added, within a few years, the quarry at Concord, the fine, light-colored stone of which is so rapidly becoming a favorite.

This railway was the second that was built in the United States, and the first in this section of the country, and was considered, at the time it was built, as a great undertaking. It was constructed in the most substantial manner, and at a cost of $60,000 per mile; the sleepers and stringers being of granite, with iron rails.

The original charter was granted for the term of forty years; but in 1831 it was made perpetual.

The first contract made by the Railway Company for transporting stone was in 1827, when a contract was entered into for transporting the stone for the Bunker Hill Monument, for which they were to receive a specified sum (50 cents per ton wt.) for carrying the stone from the quarry to the wharf at Milton, and an additional sum (40 cents per ton wt.) for conveying it from Milton to the wharf at Charlestown; for which purpose a small steamer, the "Robin Hood," was purchased for $6,500, and two "tow" boats for $1,000 each.

In January of this same year (1827), it was also voted to purchase the ledge of Samuel Mardin. At later periods, other extensive purchases of land were made, comprising valuable rock ledges and farms; and the use of the railway as a means of profit from tolls ceased, excepting so far as it reduced the cost, and facilitated the carriage of the stone which was procured from their own quarries.

The property was advantageously worked for a number of years, during which time many heavy contracts were filled; and yet, from the present appearances of the quarries and ledges, comparatively little impression has been made upon the vast amount of granite composing the range of hills; and the supply for the future seems inexhaustible.

At the time of the death of Col. T. H. Perkins, in 1854, he

owned almost, if not quite, the whole of this property, which then passed by purchase into the hands of a few individuals, who continued the working of the quarries, with great energy and profit, until the latter part of 1864, when it came into the hands of the present stockholders, who have, in the opinion of your Committee, good reason to congratulate themselves on being in possession of a property which promises to prove so safe and profitable an investment, and one so likely to make frequent and quick returns.

DESCRIPTION OF THE PROPERTY OF THE COMPANY.

At Quincy are twenty-seven acres of land, on which is an inexhaustible quantity of granite.

A railway, two miles in length, running from the quarry to the wharf.

A wharf, 1,280 feet in length, averaging about forty feet in width, built of granite, at a cost of $30,000; the water by its side is ample for a vessel of three hundred tons, loaded.

A stone house, with stable, and four acres and eighty-nine rods of land.

A stone house, suitable for four families, and four acres of land.

Ten acres and thirty-eight rods of land in four different lots.

Four sheds, in all four hundred feet in length, used for dressing stone, an office, a carpenter's shop, and four smith and tool shops. In one of the smith shops is carried on the business of making hammers for dressing stone.

Six derricks (some of which have have horse power machinery for working the same), horses, oxen, tools, and fourteen cars; also, an office safe, and office furniture.

At Concord are about fifteen acres of land, in which is an almost inexhaustible quantity of white granite, which is of an excellent quality; also, four hundred feet of sheds, in which the

stone is worked; two blacksmiths' shops and tools; a carpenter's shop; tools in sufficient quantity for the use of one hundred men; also, derricks, guys, chains, tools, oxen, carts, and an office with safe, and office furniture.

The following are some of the principal structures which have been erected of granite, from the quarries of the company, viz:

Bunker Hill Monument; Boston Custom House; New Orleans Custom House; Tremont House, Boston; Astor House, New York; City Hall, Boston; Horticultural Hall, Boston; New Hampshire State House, Concord, N. H.; Equitable Life Assurance Society building, New York; Charter Oak Life Insurance Company's building, Hartford, Ct.; Hartford Fire Insurance Company's building, Hartford, Ct.; in addition to which the company have supplied the granite for a large number of prominent structures, among which are many stores on Devonshire, Franklin, Summer, and Chauncy streets, in Boston.

BY-LAWS

OF THE

GRANITE RAILWAY COMPANY.

Article I.

The capital stock of the Granite Railway Company shall remain, as heretofore established, at two hundred and fifty thousand dollars ($250,000), divided into twenty-five hundred shares of one hundred dollars each. Each stockholder shall be entitled to a certificate of the shares owned by him, under the seal of the Company, and signed by the President or Vice-President, and countersigned by the Treasurer.

Shares may be transferred by indorsement on the certificate; and, upon surrender of the old certificate to the Treasurer, a new certificate or certificates shall be issued to the parties entitled to the same.

Article II.

The Annual Meeting of the stockholders shall be held, in the month of January in each year, at such place in Boston as the Directors may appoint.

Article III.

At any meeting of the corporation, duly notified, not less than seven stockholders present, either in person or by proxy, and representing two hundred shares, shall constitute a quorum for the transaction of business.

ARTICLE IV.

At the Annual Meeting, a Clerk and a Treasurer shall be chosen by ballot, and the same person may be Clerk and Treasurer, if elected to both offices.

ARTICLE V.

The officers of the Company shall be a President and a Vice-President, who shall be *ex-officio* directors, and five Directors. Each of said officers shall be a stockholder, and they together shall constitute the Board of Directors. Said officers shall be elected by ballot at the Annual Meeting, and shall hold office until others are elected in their places. Three of the Directors shall constitute a quorum for the transaction of business.

ARTICLE VI.

The Clerk of the Company shall be also Clerk of the Directors, and shall keep full and accurate records of the votes and transactions of the stockholders and of the Directors.

ARTICLE VII.

The Treasurer shall give bond, with satisfactory sureties, for the faithful performance of his duties, in such sum as shall be fixed by the Directors. He shall have the custody of the books and valuable papers of the Company, and also of the funds, which shall be deposited in some bank approved by the Directors. He shall keep full and accurate accounts of the pecuniary and business affairs of the Company; pay all debts of the Company promptly, and disburse the funds as the Directors may order; and may indorse notes held by the Company, and also sign the name of the Company upon any notes with the approval of two or more Directors. He shall present

quarterly reports of the affairs of the Company to the Directors, and at any time at the request of the Board; and at the Annual Meeting, he shall present to the stockholders, in writing or print, a full statement and report of the affairs and condition of the Company. The Treasurer shall also perform such other appropriate duties as may be assigned him by the Directors.

Article VIII.

The President, when present, shall preside at all meetings of the stockholders and of the Directors. In his absence, the Vice-President shall preside, and perform the duties of President. In the absence of both, a Chairman may be chosen.

Article IX.

The Directors shall have control and management of the business and affairs of the Company, and may appoint such subordinate officers and agents as they may think expedient, prescribe their duties, and fix their compensation. They shall fix the compensation of the Clerk and Treasurer.

Article X.

The Directors may remove any subordinate officer or agent appointed by them, whenever they think it expedient. In case of a vacancy in the office of Treasurer or Clerk, or the inability of either of said officers to perform his duties, the Directors may choose a Treasurer or Clerk to act until such inability is removed, or the office shall be filled by the stockholders.

Article XI.

The Directors shall hold a meeting at least once in two months, and they may by committee or otherwise, examine the Treasurer's books, accounts, and vouchers, whenever they deem

the same to be expedient; and they shall, once in each year, as early in January as the same is practicable, make by committee or otherwise a thorough examination of the said books, accounts, and vouchers to December 31st of the preceding year; and also of the evidences of titles, and property of the Company in the hands of the Treasurer, and make record of the results of such examination.

Article XII.

The President may call special meetings of the Directors whenever he may think it necessary, and shall call such meeting at the written request of any two Directors. The President shall call a Special Meeting of the stockholders at the written request of any seven stockholders.

Article XIII.

The Clerk shall give written or printed notice to each Director of any Regular or Special Meeting of the board, at least one day before such meeting, by delivering the same in person, or by depositing the same in the Boston Post Office, to his address, postage paid.

The Clerk shall give notice of the Annual Meeting, or any Special Meeting of the stockholders, by publishing the same in two newspapers in Boston, and by depositing in the Post Office, postage paid, to the address of each stockholder, a written or printed notice, at least five days before the meeting.

Article XIV.

These By-laws may be amended or repealed at any meeting of the stockholders, in the call for which meeting, notice shall have been given that the By-laws will be acted on.

All By-laws heretofore adopted are hereby repealed.